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HON. HARRY H. KUTNER, SR.

JUSTICE, SUPREME CT. (DEC'D.)

OF COUNSEL

STEPHEN D. KUTNER (DEC'D.)

THEODORE W. ROBINSON (DEC'D.)

January 27, 2023

VIA ECF ONLY

Hon. Joan M. Azrack

U.S. District Judge

100 Federal Plaza

Central Islip, New York 11722-4438

Re: KUTNER, etc. v. COUNTY OF NASSAU, et al.
CV # 22-7530

Honorable Madam:

This letter is sent with a copy to Mr. Reissman to ask the Court to sign the Order to Show Cause with a return date of Friday, February 3rd. I am so sorry to have to bother your Honor but the County Police refuse to follow the agreement Mr. Reissman and I had in court that I would be immediately issued a "Full Carry" license.

When I arrived at Headquarters that afternoon, the Sergeant related that he had not received any such instruction. When I spoke later to Mr. Reissman, he said that the County would do so upon my filing of new Application for a Full Carry, an application that does not exist and a condition that was never imposed. It would entail an enormous amount of unnecessary work by me and delay for months in getting a license.

Mr. Reissman is clearly blameless for the County's not conducting themselves honorably and negotiating in good faith. As I told him, this is just the latest example of the County Police making sure I know they are in charge, while simultaneously making me do extra work for their amusement and satisfaction. Relating the history proves the accuracy of that conclusion: in mid-November before drafting the suit, I presented County Attorney with the option of issuing me the Full Carry without a lawsuit but their rejection was relayed to me, forcing me to research-draft-file the action. Then when I filed the suit, they did acquiesce but on a condition that was unacceptable and too late: to discontinue the class action.

HARRY H. KUTNER, JR.

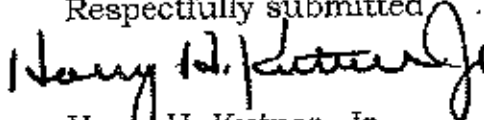
ATTORNEY-AT-LAW

Then in your Honor's presence it was agreed that they would issue the Full Carry immediately not only without that condition but without any conditions. It was never mentioned that I would have to file a new written application, undeniably later dreamed up by the Police hierarchy as another method of revenge, making me do further unnecessary-extra work.

It is frustrating to deal with the defendants, and I do not envy Mr. Reissman in his having to represent them. Negotiating with them is like playing "Whack-a-mole" or watching Lucy pull the football on Charlie Brown.

It is to be observed, without citational authority necessary, that a constitutional violation against an individual causes damage continuously, day after day. I have now been exposed, without being able to protect myself as contemplated by the Second Amendment, since November 15th (or 73 days). Your Honor is respectfully requested to advance this matter before, God forbid, I am a Newsday headline.

Respectfully submitted



Harry H. Kutner, Jr.

HHK/pm

cc: Ralph J. Reissman, Esq.
Attorney for defendants